

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE  
CONFERENCE OF THE NAACP, and

TAIWAN SCOTT, on behalf of himself and  
all other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official  
capacity as President of the Senate; LUKE  
A. RANKIN, in his official capacity as  
Chairman of the Senate Judiciary  
Committee; JAMES H. LUCAS, in his  
official capacity as Speaker of the House of  
Representatives; CHRIS MURPHY, in his  
official capacity as Chairman of the House  
of Representatives Judiciary Committee;  
WALLACE H. JORDAN, in his official  
capacity as Chairman of the House of  
Representatives Elections Law  
Subcommittee; HOWARD KNAPP, in his  
official capacity as interim Executive  
Director of the South Carolina State Election  
Commission; JOHN WELLS, Chair,  
JOANNE DAY, CLIFFORD J. EDLER,  
LINDA MCCALL, and SCOTT MOSELEY,  
in their official capacities as members of the  
South Carolina Election Commission,

Defendants.

Case No. 3-21-cv-03302-TJH-MBS-RMG

**PLAINTIFFS' RULE 26(a)(3) PRE-  
TRIAL DISCLOSURES**

Pursuant to this Court's Order of March 8, 2022 [ECF No. 188] and in accordance with  
Federal Rule of Civil Procedure 26(a)(3), Plaintiffs submit the following Pretrial Disclosures.

**A. WITNESSES**

Plaintiffs anticipate presenting the following witnesses at trial, though not necessarily in the order listed below. Other witnesses may need to be presented depending on the contents of Defendants' Pre-Trial Disclosure and the Court's rulings on objections to trial exhibits, deposition designations, and other evidentiary issues.

<b>Witness</b>	<b>Form of Testimony</b>	<b>Contact Information</b>
<b><u>WILL CALL</u></b>		
1. Brenda C. Murphy	Live	May be contacted through Plaintiffs' Counsel.
2. NAACP EXCOM 1	Live	May be contacted through Plaintiffs' Counsel.
3. NAACP EXCOM 2	Live	May be contacted through Plaintiffs' Counsel.
4. Dr. Moon Duchin	Live	May be contacted through Plaintiffs' Counsel.
5. Dr. Jordan Ragusa	Live	May be contacted through Plaintiffs' Counsel.
6. Dr. Baodong Liu	Live	May be contacted through Plaintiffs' Counsel.
7. Dr. Kosuke Imai	Live	May be contacted through Plaintiffs' Counsel.
8. Dr. Joseph Bagley	Live	May be contacted through Plaintiffs' Counsel.
<b><u>MAY CALL</u></b>		
9. Rep. Wendy C. Brawley	Live (via Zoom)	South Carolina House of Representatives 309D Blatt Bldg. Columbia, SC 29201 (803) 212-6961
10. Madie Robinson	Live (via Zoom)	May be contacted through Plaintiffs' Counsel.
11. Elizabeth Kilgore	Live (via Zoom)	May be contacted through Plaintiffs' Counsel.

## **B. WITNESS BY DEPOSITION DESIGNATIONS**

Plaintiffs note that depositions are ongoing and that transcripts for many witnesses are not yet available. As an interim measure, Plaintiffs designate the entirety of these transcripts, with the intention to supplement this disclosure with specific designations once transcripts have been completed. Plaintiffs identify the following witnesses whose testimony Plaintiffs expect to present by deposition:

- Rep. Wallace “Jay” Jordan
- Rep. Wm. Weston Newton
- Howard Knapp, as 30(b)(6) witness on behalf of South Carolina Election Commission
- Rep. Chris Murphy
- Rep. James “Jay” Lucas
- Rep. Neil Collins
- Patrick Dennis
- Emma Dean
- Thomas Hauger

## **C. LIST OF PLAINTIFFS’ EXHIBITS**

Plaintiffs’ interim list of exhibits is attached hereto as **Exhibit A**. Plaintiffs note that discovery is still ongoing, and Defendants have made several additional productions since Plaintiffs served its initial list of exhibits on April 29. In addition, due to the press of ongoing discovery, the parties have not yet scheduled the Local Rule 26.07 conference to identify and

address objections. Plaintiffs expect to supplement this disclosure once discovery is completed and once the Rule 26.07 conference is completed.

Dated: May 5, 2022

Respectfully submitted,

Leah C. Aden\*\*  
Stuart Naifeh\*\*  
Raymond Audain\*\*  
John S. Cusick\*\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector St, 5th Fl.  
NY, NY 10006  
Tel.: (212) 965-7715  
laden@naacpldf.org

Antonio L. Ingram II\*\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
700 14th St, Ste. 600  
Washington, D.C. 20005  
Tel.: (202) 682-1300  
aingram@naacpldf.org

Adriel I. Cepeda Derieux\*\*  
Samantha Osaki\*\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street, 18th Floor  
New York, NY 10004  
Tel.: (212) 549-2500  
acepedaderieux@aclu.org

John A. Freedman\*\*  
Elisabeth S. Theodore\*  
Adam Pergament\*\*  
Gina M. Colarusso\*\*  
John M. Hindley\*\*  
ARNOLD & PORTER KAYE SCHOLER  
LLP  
601 Massachusetts Ave., N.W.  
Washington, D.C. 20001  
Tel: (202) 942-5000  
john.freedman@arnoldporter.com

/s/ Christopher J. Bryant  
Christopher J. Bryant, Fed. ID 12538  
BOROUGHES BRYANT, LLC  
1122 Lady St., Ste. 208  
Columbia, SC 29201  
Tel.: (843) 779-5444  
chris@boroughsbryant.com

Somil B. Trivedi\*\*  
Patricia Yan\*\*  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
915 15th St., NW  
Washington, DC 20005  
Tel.: (202) 457-0800  
strivedi@aclu.org

Allen Chaney, Fed. ID 13181  
AMERICAN CIVIL LIBERTIES UNION  
OF SOUTH CAROLINA  
Charleston, SC 29413-0998  
Tel.: (843) 282-7953  
Fax: (843) 720-1428  
achaney@aclusc.org

Jeffrey A. Fuisz\*\*  
Paula Ramer\*\*  
ARNOLD & PORTER KAYE SCHOLER LLP  
250 West 55th Street  
New York, NY 10019  
Tel: (212) 836-8000  
jeffrey.fuisz@arnoldporter.com

Sarah Gryll\*\*  
ARNOLD & PORTER KAYE SCHOLER LLP  
70 West Madison Street, Suite 4200  
Chicago, IL 60602-4231  
Tel: (312) 583-2300  
sarah.gryll@arnoldporter.com

*\* Motion for admission Pro Hac Vice  
forthcoming*

*\*\* Admitted Pro Hac Vice*

*Counsel for Plaintiffs the South Carolina  
Conference of the NAACP and Taiwan Scott*

Janette M. Louard\*

Anthony P. Ashton\*

Anna Kathryn Barnes\*\*

NAACP OFFICE OF THE GENERAL  
COUNSEL

4805 Mount Hope Drive

Baltimore, MD 21215

Tel: (410) 580-5777

jlouard@naacpnet.org

*\* Motion for admission Pro Hac Vice  
forthcoming*

*\*\* Admitted Pro Hac Vice*

*Counsel for Plaintiff the South Carolina  
Conference of the NAACP*

#### **CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2022, a true and correct copy of the foregoing was served on all counsel of record by filing with the Court's CM/ECF service.

/s/ Christopher J. Bryant

Christopher J. Bryant